

REMARKS

The present Amendment is in response to the Office Action mailed August 9, 2006. Claims 1, 3, 5, 8, 11-12, 14-15, and 21-23 are amended. Claims 1-25 remain pending in view of the above amendments.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. The remarks set forth herein, or the lack of remarks, is not to be construed as an admission regarding the Examiner's conclusions regarding the cited art including Applicant's background. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Examiner's Interview

Applicant's express their appreciation to the Examiner for conducting an interview with Applications on December 15, 2006. This response includes the substance of the interview.

Rejections Under 35 U.S.C. § 112

The Office Action rejected claims 1-26 under 35 U.S.C. § 112, first paragraph. The Examiner states that claims 1, 12, 14, and 21 recite limitations that are new matter. The amendments submitted in the prior response and in this response are supported at least at ¶¶ [029], [040], [052], [059], [061]-[065], [072]-[073], [076]-[079], and [088] and Figure 5.

As discussed during the interview, the Examiner has agreed to withdraw the rejections under 35 U.S.C. § 112.

Rejections Under 35 U.S.C. § 103

The Office Action rejected claims 1, 2, 5-10, 12-13, 21-22 and 24 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,283,761 (*Joao*) in view of U.S. Patent 6,343,271 (*Peterson*) and in view of Applicant's prior art admissions in the background of the invention of the present application. Claims 3 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over *Joao* and *Peterson* and Applicant's prior art admissions and further in view of Robinson-Crowley, Christine ("Understanding Patient Financial Services") (*Robinson*) and Official Notice. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over *Joao*, *Peterson*, and *Robinson* in view of U.S. Patent No. 5,070,452 (*Doyle*). Claims 14-17 and 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Joao* in view of *Peterson* and further in view of Applicant's prior art admissions in the background of the invention. Claim 25 was rejected under 35 U.S.C. § 103(a) over *Joao*, *Peterson*, Applicant's prior art admissions, Official Notice, and further in view of U.S. Patent No. 6,738,784 (*Howes*). Applicants respectfully traverse the rejections.

The claims as presented herein reflect the discussions held during the interview. For instance, claim 1 has been amended to clarify that it is the server system that is performing the method and that it is the server system that interacts with both a client system and a carrier. Claim 1 has also been amended to reflect the timing of submitting the supporting document.

For example, claim 1 requires, after the server system receives both the insurance claim and the electronic image of the supporting document, verifying that the insurance claim is in condition for payment by the carrier prior to adjudication of the insurance claim by the carrier. This is distinct from the cited art including the background section of the application, which indicates that a time delay is often introduced into the processing of an insurance claim by the need to deliver hardcopies of supporting documents to the carrier by mail.

The ability to place a claim in condition for payment by the carrier (by submitting both the insurance claim and an electronic image of the supporting document to the server system) prior to the adjudication of the claim by the carrier is not taught or suggested by the cited art.

Claim 1 has been further amended to require that the server system verify that the insurance claim is in condition for payment by the carrier. After transmitting the insurance claim to the carrier, the server system then notifies the carrier that an image of the supporting document is available to enable the carrier to adjudicate the insurance claim. In this case, claim 1 also requires receiving an access request for the electronic image of the supporting document.

As discussed at the interview, Applicant contends that the cited art fails to teach or suggest accessing a database having a compilation of data indicative of supporting documents associated with insurance claims generated by the client system. As discussed with the interview, this database is accessed after receiving the insurance claim. Further, the server system can then identify the supporting document needed to process the insurance claim with the benefit of the information included in the insurance claims. In other words, the server system only identifies the supporting document after receiving the insurance claim because the database is accessed based on the information included in the insurance claim.

Thus, the ability of the server system to identify supporting documents that need to be submitted with the insurance claim prior to adjudication of the claim is not taught or suggested by the cited art. The supporting documents that may be required by the carrier are not necessarily known prior to adjudication by the carrier. Claim 1 recites identifying those supporting documents prior to adjudication of the insurance claim. Advantageously, this enables the client system to receive advance payment because the server system verifies that the insurance claim is in condition for payment by the carrier. Claim 1 provides the advantage of being able to store the supporting document as an electronic image that can then be made available to the carrier when the carrier adjudicates the claim.

For at least these reasons and as discussed during the interview, Applicant respectfully submits that claim 1 as amended is believed to overcome the art of record.

Claim 14 has been amended to clarify that it is a client system that is performing the method. In this example, claim 14 requires that the client system receive verification that the insurance claim is in condition for advance payment. After the client system

receives this verification, the client system then receives notice of an advance payment by a payment entity prior to adjudication of the insurance claim by the carrier.

As discussed at the interview, *Joao* and *Peterson* fail to teach or suggest several of the elements including "receiving verification that the insurance claim is in condition for advance payment" and "receiving notice of advance payment by a payment entity prior to adjudication of the insurance claim by the carrier".

For at least these reasons and as discussed during the interview, the art fails to teach or suggest claim 14, which is therefore believed to be in condition for allowance.

Claim 21 has been amended to reflect that the method is being performed primarily by a server system that interacts with both a client system and with a carrier. In claim 21, the server system causes the payment entity to advance payment to a health care provider prior to adjudication of the insurance claim by the carrier. In claim 21, a portion of the advance payment is reserved and is not accessible to the health care provider. This portion is used for service fees, unpaid balances, etc.

As discussed at the interview, the cited art does not teach or suggest claim 21 as claimed. For example, the cited art further fails to teach the advance payment by the payment entity as required by claim 21. More particularly, the cited art fails to teach or suggest that a portion of the advance payment is reserved in an account that is not accessible to the health care provider.

For at least these reasons and for the reasons discussed during the interview, Applicants respectfully submit that claim 21 is in condition for allowance.

Conclusion

In view of the foregoing, and consistent with discussions held during the Examiner Interview, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 20th day of December, 2006.

Respectfully submitted,

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